

THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

RAFAEL LOPEZ

§

Plaintiff,

§

v.

§ CIVIL ACTION NO. 4:20-cv-2980

DORADO WATERPROOFING, L.L.C.,  
AND LUIS ANGEL MONTENEGRO,  
INDIVIDUALLY,

§

Defendants.

§

UNOPPOSED MOTION TO CONTINUE RULE 26 CONFERENCE

Plaintiff Rafael Lopez (the "Plaintiff") files this his Unopposed Motion to Continue Rule 26 Conference as follows:

1. The Plaintiff filed suit against Defendants Dorado Waterproofing, L.L.C., and Luis Angel Montenegro, Individually (collectively, the "Defendants") under the Fair Labor Standards Act on August 25, 2020.

2. On August 26, 2020, Judge Vanessa D. Gilmore entered her Order for Conference and Disclosure of Interested Parties scheduling the initial pretrial and scheduling conference for December 11, 2020.

3. The Defendants agreed to waive issuance of summons and the corresponding Waivers were filed with the Court.

4. Subsequently, the parties agreed extend the Defendants' answer date in order to explore an early resolution of the issues in dispute. In the meantime, the Defendants' counsel has been away from work on an extended medical leave only returning to work on

November 5, 2020.

5. As such, the Plaintiff requests that the conference scheduled for December 11, 2020, be continued for at least sixty (60) days to allow the parties adequate time to explore settlement and time for the Defendant to answer in the event their efforts are unsuccessful.

6. Although unopposed to this motion, the Defendants' counsel is not joining in this motion because the Defendants have not formally appeared in this litigation by way of an answer or otherwise.

Respectfully submitted,

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CERTIFICATE OF DELIVERY

I hereby certify that a true and correct copy of the foregoing Unopposed Motion to Continue Rule 26 Conference was sent to opposing counsel by email and/or fax on November \_\_, 2020, properly addressed as follows:

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/S/ Patricia Haylon  
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